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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/779,954	02/09/2001	Charles P. Tresser	CHA9-2001-0001US1	7575

23550 7590 07/22/2005

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EXAMINER
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ELISCA, PIERRE E

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 07/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/779,954

Applicant(s)

TRESSER, CHARLES P.

Examiner

Pierre E. Elisca

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2004.  
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-3 and 5-19 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Regarding the status of the claims in the instant application, the Examiner has made an updated search and found new prior art. The Examiner is obliged to apply the newly found prior art. Thus, the finality of the prior office action has been withdrawn and a new rejection follows. The Examiner regrets the delayed process of the application. Accordingly, claims 1-19 are pending.

#### ***Claim Rejections - 35 USC § 103 (a)***

2. The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3 and 5-19 are rejected under 35 U.S.C. 103 (a) as being unpatentable by Clark et al. (U.S. Pat. No. 5,710,889) in view of Jia et al. (U.S. Pat. No. 5,991,402).

As per claims 1, 5-7, 9, 10, 12-14, and 16-19 Clark substantially discloses an electronic delivery system that delivering services directly to a customer facility at any time requested by the customer. The customer connects to the system whenever desired to access each of the services, and the interface device stores and routes messages between the customers and each of the service providers at the respective times when the customers' facilities and the service providers' facilities are operative (which is

readable as Applicant's claimed invention system for delivering institutional data to a customer), comprising:

an institutional server (see., fig 1, abstract, col 3, lines 18-35, repository and archive facility);

a client, wherein the client includes a system for displaying a merged version of the private and public data (or security) from the institutional server (see., figs 15, 17, 20, 23, 24, 28, col 6, lines 37-47, col 14, lines 10-22, col 21, lines 16-25). It is to be noted that Clark fails to explicitly disclose an encrypted version of the private data and an unencrypted version of the public data. However, Jia discloses a method/system that enables software-on-demand and software subscription services based on a dynamic transformation filter. An encrypted material installed on the computer is encrypted by decrypting a first version of the material to produce an unencrypted version (see., abstract, col 5, lines 55-67, col 6, lines 1-67, col 7, lines 1-26, col 10, lines 8-13). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the global financial service of Clark by including the limitation detailed above as taught by Jia because such modification would shield direct access to the financial services.

Clark and Jia fail to disclose the limitations wherein said the institutional server includes a system for separately serving **a first database containing private and a second database containing public data**. Merenda et al US 2004/0148290 A1 discloses a method/system for distributing data elements among various public and private data sets (see., page 2, [0025], page 3, [0028]. It would have been obvious to a person of

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ordinary skill in the art at the time the invention was made to modify the teachings of Clark and Jia by including the limitation detailed above as taught by Merenda because such modification would restrict access to the private data.

As per claim 2, Jia discloses the claimed limitations wherein the client includes a mechanism for decrypting the encrypted private data (see., abstract, col 5, lines 55-67, col 6, lines 1-67, col 7, lines 1-26).

As per claim 3, Jia discloses the claimed limitations wherein said making the customer anonymous to the service provider (see., abstract, fig 1, item 108).

As per claims 8, 11, and 15 Jia discloses the claimed limitations wherein the encrypted version of the private data is encrypted using a public key infrastructure protocol (see., col 6, lines 64-67, col 7, lines 1-18).

#### ***Allowable Subject Matter***

4. Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre E. Elisca whose telephone number is 703 305-3987. The examiner can normally be reached on 6:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703 305-9769. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Pierre Eddy Elisca

**Primary Patent Examiner**

**July 19, 2005**